REMARKS

The Assignee respectfully requests continued examination and reconsideration based on the above claim amendments and on the following remarks. The Assignee respectfully submits that the pending claims distinguish over the cited documents.

Claims 1-3 and 5-19 are pending in this application. Claim 4 is canceled without prejudice or disclaimer.

The United States Patent and Trademark Office (the "Office") rejected claims 1-8, 10-14, 16, and 18-19 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,775,546 to Fuller in view of U.S. Patent 6,195,422 to Jones *et al.* Claims 9, 15, and 17 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Fuller* in view of *Jones* and further in view of Published U.S. Patent Application 2003/0050100 to Dent.

The Assignee shows, however, that the pending claims distinguish over *Fuller*, *Jones*, and *Dent*. Moreover, the pending claims have been amended to recite similar features to those already allowed in U.S. Application 10/245,518 (now issued as U.S. Patent 7,127,051) and incorporated by reference. The Assignee, then, respectively submits that the pending claims 1-3 and 5-19 are patentably distinguishable and ready for allowance.

Rejection of Claims 1-8, 10-14, 16, and 18-19 Under 35 U.S.C. § 103

Claims 1-8, 10-14, 16, and 18-19 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent 6,775,546 to Fuller in view of U.S. Patent 6,195,422 to Jones *et al.* If the Office wishes to establish a *prima facie* case of obviousness, three criteria must be met: 1) combining prior art requires "some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill"; 2) there must be a reasonable expectation of success; and 3) all the claimed limitations must be taught or suggested by the prior art. DEPARTMENT OF COMMERCE, MANUAL OF PATENT EXAMINING

PROCEDURE, § 2143 (orig. 8th Edition) (hereinafter "M.P.E.P."). Because the proposed combination of *Fuller* and *Jones* fails to teach or suggest all the features of the independent claims, the *prima facie* case of obviousness must fail. The Office is thus required to remove the § 103 (a) rejection.

Claims 1-8, 10-14, 16, and 18-19, however, cannot be obvious. These claims recite, or incorporate, features that are not taught or suggested by *Fuller* and *Jones*. Independent claim 1, for example, recites "*the virtual telephone number associated with a dialed telephone number in the native transport network*" (emphasis added). The combined teaching of *Fuller* and *Jones*, in contradistinction, operates entirely opposite. As *Fuller* explains, "the common 'virtual fixed line' number is converted in Step 2 into two or more MSISDNs." U.S. Patent 6,775,546 to Fuller (Aug. 10, 2004) at column 6, lines 24-26. In *Fuller* and *Jones*, then, a caller dials the "common 'virtual fixed line' number" and that number is converted to an MSISDN. In the pending claims, however, "*the virtual telephone number [is] associated with a dialed telephone number in the native transport network*" (emphasis added). The combined teaching of *Fuller* and *Jones*, then, cannot obviate the pending claims. The Office, then, is respectfully requested to remove the § 103 (a) rejection of claims 1-8, 10-14, 16, and 18-19.

Rejection of Claims 9, 15 & 17 Under 35 U.S.C. § 103

Claims 9, 15, and 17 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over *Fuller* in view of *Jones* and further in view of Published U.S. Patent Application 2003/0050100 to Dent. The proposed combination of *Fuller*, *Jones*, and *Dent*, however, still fails to teach or suggest many features of the pending claims. As the above paragraphs explained, claims 9, 15, and 17 incorporate the same distinguishing features of their respective base claims. These claims, for example, incorporate "*the virtual telephone number [is] associated with a dialed telephone number in the native transport network*" (emphasis added). Because the combined teaching of *Fuller*, *Jones*, and *Dent* fails to disclose at least this feature, the Office is respectfully requested to remove the § 103 (a) rejection of claims 9, 15, and 17.

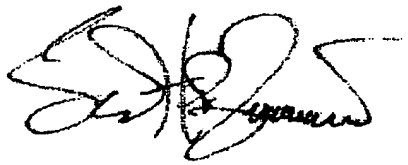
Fuller "Teaches Away"

Any combination involving *Fuller* "teaches away" from the pending claims. "A reference that 'teaches away' from the claimed invention is a significant factor" when determining obviousness. *See* M.P.E.P. at § 2145 (X)(D)(1). A reference must be considered as a whole, including portions that lead away from the claimed invention. *See id.* at § 2141.02; *see also W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 220 U.S.P.Q. (BNA) 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). "It is improper to combine references where the references teach away from their combination." M.P.E.P. at § 2145 (X)(D)(2). If the proposed combination changes the principle of operation of the prior art being modified, then the teachings of the references are not sufficient to support a *prima facie* case. *See* M.P.E.P. at § 2143.01.

The Office's *prima facie* cases all require an impermissible change to *Fuller's* principle of operation. As the above paragraphs explained, *Fuller's* principle of operation is to convert a "common 'virtual fixed line'" number into two or more MSISDNs. U.S. Patent 6,775,546 to Fuller (Aug. 10, 2004) at column 6, lines 24-26. In *Fuller*, then, a caller dials the "common 'virtual fixed line' number" and that number is converted to an MSISDN. In the pending claims, however, "*the virtual telephone number [is] associated with a dialed telephone number in the native transport network*" (emphasis added). *Fuller's* principle of operation, then, must be changed to support the Examiner's rejections. Because the patent case law prohibits changing a principle of operation to support a *prima facie* case, any proposed combination involving *Fuller* "teaches away" and cannot support the § 103 rejections of the pending claims.

The Assignee respectfully submits that the pending claims are ready for allowance. The pending claims have been amended to recite similar features to those already allowed in U.S. Application 10/245,518 (now issued as U.S. Patent 7,127,051) and incorporated by reference. If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or scott@wzpatents.com.

Respectfully submitted,



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